

2 **SSB 6244** - S Amd  
3 By Senator Erwin

4 SCOPED 2/16/94

5 On page 137, after line 32, insert the following new section:

6 **Sec. 904.** RCW 71A.10.020 and 1988 c 176 s 102 are each amended to  
7 read as follows:

8 As used in this title, the following terms have the meanings  
9 indicated unless the context clearly requires otherwise.

10 (1) "Department" means the department of social and health  
11 services.

12 (2) "Developmental disability" means a (~~disability attributable to~~  
13 ~~mental retardation, cerebral palsy, epilepsy, autism, or another~~  
14 ~~neurological or other condition of an individual found by the secretary~~  
15 ~~to be closely related to mental retardation or to require treatment~~  
16 ~~similar to that required for individuals with mental retardation, which~~  
17 ~~disability originates before the individual attains age eighteen, which~~  
18 ~~has continued or can be expected to continue indefinitely, and which~~  
19 ~~constitutes a substantial handicap to the individual. By January 1,~~  
20 ~~1989, the department shall promulgate rules which define neurological~~  
21 ~~or other conditions in a way that is not limited to intelligence~~  
22 ~~quotient scores as the sole determinate [determinant] of these~~  
23 ~~conditions, and notify the legislature of this action)) severe, chronic  
24 disability of a person that:~~

25 (a) Is attributable to a mental or physical impairment or  
26 combination of mental and physical impairments, other than the sole  
27 diagnosis of mental illness;

28 (b) Is manifested before the person attains age twenty-two;

29 (c) Is likely to continue indefinitely;

30 (d) Results in substantial functional limitations in three or more  
31 of the following areas of major life activity: (i) Self-care, (ii)  
32 receptive and expressive language, (iii) learning, (iv) mobility, (v)  
33 self-direction, (vi) capacity for independent living, and (vii)  
34 economic self-sufficiency; and

35 (e) Reflects the person's need for a combination and sequence of  
36 special, interdisciplinary, or generic care, treatment, or other  
37 services that are of lifelong or extended duration and are individually  
38 planned and coordinated; except that the term, when applied to infants  
39 and young children means individuals from birth to age five, inclusive,  
40 who have substantial developmental delay or specific congenital or  
41 acquired conditions with a high probability of resulting in  
42 developmental disabilities if services are not provided.

43 (3) "Eligible person" means a person who has been found by the  
44 secretary under RCW 71A.16.040 to be eligible for services.

45 (4) "Habilitative services" means those services provided by  
46 program personnel to assist persons in acquiring and maintaining life  
47 skills and to raise their levels of physical, mental, social, and  
48 vocational functioning. Habilitative services include education,  
49 training for employment, and therapy.

50 (5) "Legal representative" means a parent of a person who is under  
51 eighteen years of age, a person's legal guardian, a person's limited  
52 guardian when the subject matter is within the scope of the limited

1 guardianship, a person's attorney at law, a person's attorney in fact,  
2 or any other person who is authorized by law to act for another person.

3 (6) "Notice" or "notification" of an action of the secretary means  
4 notice in compliance with RCW 71A.10.060.

5 (7) "Residential habilitation center" means a state-operated  
6 facility for persons with developmental disabilities governed by  
7 chapter 71A.20 RCW.

8 (8) "Secretary" means the secretary of social and health services  
9 or the secretary's designee.

10 (9) "Service" or "services" means services provided by state or  
11 local government to carry out this title.

12 On page 1, line 2 of the title, strike "and" and insert "71A.10.020  
13 and"

14 On page 1, line 2 of the title, after "amending", insert "1988 c  
15 176 s 102 and"

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